

MEMORANDUM



JOINT BUDGET COMMITTEE

TO Joint Budget Committee Members
FROM Christina Beisel, Megan Davisson, Craig Harper, Eric Kurtz, and Vance Roper
DATE November 27, 2017
SUBJECT Evidence-based Policy

EXECUTIVE SUMMARY

The Joint Budget Committee (Committee) has heard increasing discussion of Evidence-based Policy (EBP) in recent years in two contexts: (1) state agencies have justified a variety of budget requests as “evidence-based,” prompting discussions of what that means; and (2) external groups and the Governor’s Office have both emphasized a goal of increasing the use of EBP in Colorado. However, it has not always been clear what, exactly, “evidence-based policy” meant in the context of specific programs or proposals.

Based on the Committee’s interest, several members of the JBC Staff conducted a research project during the 2017 interim to better understand EBP. Specific areas of investigation included: (1) background on EBP, including the meaning of EBP in the field, what constitutes “good” evidence, and how EBP is implemented; (2) the current use of EBP in Colorado, including both statutory requirements and executive branch actions; (3) other states’ use of EBP, including legislative components encouraging or requiring use of EBP; (4) the limitations of EBP; and (5) potential paths forward should the General Assembly decide to expand the use of EBP in Colorado.

Take Home Message

In short, EBP creates a framework under which policy makers agree on a specific goal or set of goals for a program, implement the program, and measure the results of the program using rigorous scientific evaluation (such as randomized controlled trials) to demonstrate if a program actually *causes* an outcome. Data generated by well-designed, rigorous studies then informs policy decisions, and policy makers prioritize resources for programs that are shown to work. Pooling published data through national “clearinghouses” allows policy makers to use the results from other places to inform policy decisions and may reduce the need for homegrown studies for every program.

EBP has potential in specific situations and policy areas but has limitations. It grows at a small scale and requires extensive financial and human resources. It requires political will and culture shifts/buy-in from both the Executive and Legislative branches to achieve success. Finally, while specific programs can see a positive impact, EBP is not applicable to large portions of the budget.

The JBC Staff research team believes EBP can be a useful tool in some areas if properly implemented, but we have reservations about EBP’s ability to broadly impact state programs and the total budget as well as the reliability/usability of available data.

What’s Next?

JBC Staff is happy to provide additional recommendations and/or information but would like to better understand the direction the Committee would like to take. Has this report satisfied the Committee’s needs on EBP and no further information is needed? Does the Committee want to pursue policy or legislation in the area of EBP? Is there additional information the committee needs in order to determine further steps with regard to EBP?

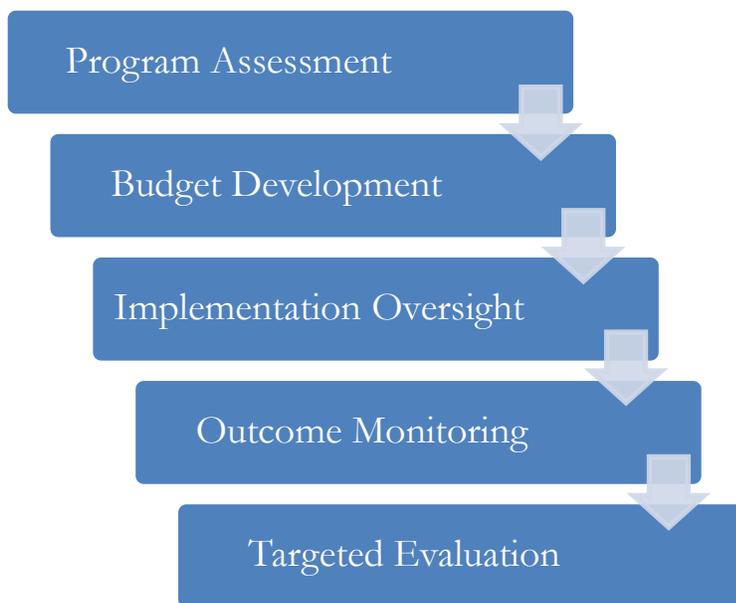
WHAT IS EBP?

Adapted from evidence-based medicine, EBP can be seen as the use of the best available research and data on program results to inform policy, budget, and management decisions.¹ In the EBP literature, an evidence-based practice or program has a definable outcome, is measurable, and has data demonstrating effectiveness.² However, those general definitions leave uncertainty regarding the type and quality of data/evidence required for a program or policy to be “evidence-based,” prompting questions from the Committee regarding the criteria necessary for a program to be considered evidence-based.

Much of the EBP literature focuses on the scientific rigor of data, with programs and practices placed in tiers (with “evidence-based” as the top tier) based on the quality of the available data indicating that a program or practice works. For example, if multiple high quality randomized controlled trials (often cited as the gold standard of EBP evidence) show a program is effective, policy makers can be confident that the program is actually *causing* the intended outcome. On the other hand, evidence with less rigor does not provide the same degree of confidence and therefore warrants a lower tier.

HOW DOES EBP WORK?

The Results First Initiative model breaks EBP down into five steps:



- *Program Assessment:* This initial step requires a complete inventory of funded programs or practices within a policy area (e.g., adult criminal justice), a systematic review of available evidence both internally (within the State) and externally from evidence clearinghouses, categorization of programs based on the available evidence of effectiveness, and, when possible, a cost-benefit

¹ See the March 2015 Pew-MacArthur Results First Initiative issue brief, *Legislating Evidence-Based Policymaking*, available at: <http://www.pewtrusts.org/~media/assets/2015/03/legislationresultsfirstbriefmarch2015.pdf>

² See the July 2017 EPIC legislative report, available at: <http://www.leg.state.co.us/library/reports.nsf/ReportsDoc.xsp?documentId=C9F499A6F275D2F487257B79007A1DDF>

analysis to determine potential return on investment. The Colorado Research and Evidence-Based Policy Team has effectively completed this step for five policy areas.

- *Budget Development:* Evidence and information must then be incorporated into budget and policy decisions to prioritize proven programs and those that deliver a high return on investment of public funds. OSPB has begun to draw EBP information into budget requests, particularly with the FY 2017-18 budget request.
- *Implementation Oversight:* Successful evidence based programs are only proven to work when implemented with fidelity. Monitoring fidelity of implementation, balanced with flexibility to meet local needs, is necessary to ensure that programs actually generate results.
- *Outcome Monitoring:* Routine measurement and reporting of outcome data, with meaningful performance measures, provides information on ongoing results.
- *Targeted Evaluation:* Rigorous evaluations of new and untested programs are necessary to determine whether programs warrant continued funding.

WHAT IS “GOOD” EVIDENCE?

Discussions of EBP and the appropriate use of evidence often focus on the quality or scientific rigor of the information. As the Committee knows, agencies and programs often collect performance information such as the performance measures and data presented in the annual budget requests to the JBC. However, such data rarely satisfy the requirements to be considered strong evidence in the context of EBP because there is not a systematic study including a control group against which to compare the impact of a given program.

The focus on rigor is based on a desire to demonstrate an actual cause and effect relationship between a program or practice and the results or outcome of the program. The use of randomized controlled trials and other quality experimental designs with control groups can demonstrate causality; without rigorous designs including control groups, one cannot determine whether a program actually *caused* a given outcome.

For example, the following graph shows the results of a randomized controlled trial of a federal workforce



program attempting to return mothers to the workforce. Workforce participation in the treatment group (those participating in the program) increased from about 16 percent at the beginning of the program to about 40 percent at the end of the program. Without a control group for comparison, it would appear that the program successfully achieved the intended outcome.

However, the control group (which did not receive the intervention) showed nearly identical increases

in employment. Thus, the trial found that the program had no effect on the desired outcome of the program.

JBC Staff note that the information without the control group, which appears to show a correlation between results and the program, is similar to many performance measures used by state agencies to evaluate program success. As this example demonstrates, such information can be misleading.

TIERS OF EVIDENCE

Proponents of EBP often discuss tiers of evidence and categorize programs based on the rigor of available evidence. These tiers range from a theory of change for new programs that have not yet been studied to a top tier of randomized controlled trials and quasi-experimental design including a systematic study and a control group for comparison. The tiers allow policymakers to group programs, practices, or interventions based on the rigor of evidence supporting the practice. For example, OSPB's Research and Evidence-Based Policy Team has used the Pew-MacArthur Results First (Results First) data clearinghouse to categorize programs into three tiers:

- *Evidence-based* programs have at least one rigorous evaluation (randomized controlled trial or quality experimental design with a control group) and have been demonstrated to be replicable and include specified procedures to allow for such replication.
- *Promising practices* have undergone some form of rigorous evaluation but the evidence does not meet the threshold for "evidence-based."
- *Programs needing additional research* have not undergone a rigorous evaluation.

As discussed below, some other states (e.g., Mississippi) have codified similar tiers of evidence into statute, with two related goals:

- First, the tiers identify programs and practices with particularly strong evidence and allow the prioritization of funding for such programs.
- Second, when combined with funding incentives for increasing quality of evidence (e.g., increasing grant size as programs move upward), the tiers may create a "pipeline" of evidence based programs by encouraging providers to accumulate the evidence necessary to progress through the tiers. Over a period of time, doing so would increase the number of evidence-based programs and the proportion of the budget that is evidence-based.

COST-BENEFIT ANALYSIS

Evidence also may include a cost-benefit analysis to estimate a program's "return on investment" (such as the eventual savings generated for each dollar invested in the program). For example, the Results First model includes a cost-benefit component to estimate the return on investment for each program in the Results First data clearinghouse in an effort to allow policymakers to evaluate the relative return on investment from different programs.

ADDITIONAL CRITERIA FOR EVIDENCE

Other researchers have recommended additional criteria to evaluate the quality and applicability of evidence. For example, building on other social science disciplines, Justin Parkhurst has identified additional characteristics of evidence that would be useful in the policy process:³

- *Credibility*: Similar to the discussions above, the credibility of evidence relates to scientific adequacy and rigor.
- *Salience*: Useful evidence is relevant to the needs of policy-makers and addresses the targeted problems and goals. A program may show promising results (and qualify as evidence-based) but not for the specific problem in question. The need for salience highlights that policymakers must agree on the goals of a particular program in order to effectively evaluate the evidence related to the program. A program may show evidence of effectiveness that is not related to the actual targeted outcome.
- *Generalizability*: Evidence from another location is only useful if the results are replicable (or generalizable) in the target population. Local context matters. For the Committee's purposes, evidence is only helpful if it allows confidence that the program will also work for a targeted population in Colorado.

In some cases, experimental techniques such as randomized controlled trials may not be feasible or appropriate to indicate the outcome of a given program. Regardless of the method of measurement, however, it is important that any study, survey, or measurement be well designed to provide valid information to assess the results of a given program or practice.

HOMEGROWN OR BORROWED EVIDENCE?

Policy makers and program managers interested in moving forward with EBP face an important choice: whether to generate their own "homegrown" evidence or rely on evidence from other sources. Because of the time and cost required for rigorous evaluations (generally conducted by external researchers), EBP implementation tends to rely heavily upon the use of data and evaluations from other sources. Published evaluations (not all are published) may be aggregated by a variety of national *data clearinghouses* based on subject matter, such as the Results First Initiative or Blueprints for Healthy Youth Development at the University of Colorado, to facilitate the use of data elsewhere.

Staff notes the following with respect to the use of external/clearinghouse data:

- First, the quality of evidence varies among clearinghouses. According to experts in the field, different clearinghouses use different criteria to evaluate the quality of studies and evidence for inclusion in their respective databases. For example, Blueprints for Healthy Youth Development (at the University of Colorado) is seen as a rigorous clearinghouse with very high standards for data included in their database. However, some other clearinghouses may be less stringent, and as a result their evidence may be less reliable.
- Second, as noted above, one must ensure that the evidence in question is actually relevant to the specific goal of the policy. In addition, the evidence must be applicable (generalizable) to Colorado.

³ Parkhurst, Justin (2017) *The Politics of Evidence: From Evidence-based Policy to the Good Governance of Evidence*, available at: http://eprints.lse.ac.uk/68604/1/Parkhurst_The%20Politics%20of%20Evidence.pdf

- Finally, follow-up monitoring of fidelity and additional rigorous evaluation are the only way to verify that a program is actually providing the results anticipated based on the external evidence. Similar to the original evaluations, follow-up work requires resources.

WHAT ARE THE LIMITATIONS OF EBP?

By focusing on the use of rigorous scientific data to evaluate program performance, EBP may improve decision making and allow policymakers to prioritize funding for programs that are shown to work. In policy areas where the techniques apply and there are either data available regarding program results or resources available to support additional studies, the use of EBP may improve the use of funds and improve outcomes. However, it is also important to note some factors that limit the applicability of EBP:

- First, EBP is not readily applicable to some policy areas. Arising from evidence-based medicine, current conceptions of EBP are strongly suited to social science policy areas (corrections, education, health, human services, etc.) that are amenable to rigorous scientific studies of outcomes and results. The techniques are not easily applied to other policy areas and are unlikely to inform decisions in those areas.
- Second, EBP may not help with some of the most significant questions within an EBP policy area. For example, much education spending, including total program funding distributed under the school finance formula, is locally controlled; neither the General Assembly nor the Department of Education can target those funds to specific “programs” in the context of EBP. Similarly, a large percentage of funding in the Department of Corrections is for staff costs to which EBP is not readily applicable. Staffing costs can be influenced on the margins by EBP but the majority of correctional staff costs cannot. Additionally, the funding provided for state Medicaid services is not influenced by EBP despite constituting approximately 25.0 percent of the General Fund expenditures. In such cases, EBP cannot effectively inform major policy decisions at the state level, including some of the most significant budgetary decisions the Committee faces each year.
- Third, the cost and time required for such rigorous evaluations forces a heavy reliance on data drawn from other sources (such as information consolidated by national data clearinghouses). The quality of the data and evaluations varies, and the use of such information to inform decisions in Colorado requires a series of assumptions regarding the credibility of the studies, the applicability of the data to Colorado, and the fidelity of program implementation in Colorado. Follow-up monitoring and evaluations are critical to determine whether Colorado is seeing the anticipated outcomes.
- Fourth, even in areas where EBP is feasible and can inform the prioritization of resources to address a given problem or goal, it will not inform prioritization *between* problems or goals. Such decisions are inherently value based and not as amenable to EBP.
- Finally, the immediate utility of EBP *to the Committee* is limited by the current budget and line item structure. In short, a single line item may support many individual “programs” as assessed through EBP, with the executive branch (or even local governments or service providers) deciding how to allocate funds between programs. Conversely, a single program may receive appropriations from multiple line items (or even multiple departments). In both cases, without major restructuring of the Long Bill, the Committee has limited ability to prioritize specific programs based on evidence.

WHAT IS THE STATUS OF EBP IN COLORADO?

Members of the Committee have expressed interest in learning more about EBP and expanding the use of EBP in Colorado but have also expressed concerns about the use of “evidence-based” terminology to support legislative and budget requests without clarification of what constituted an evidence based program. The Governor’s Office has been working with EBP, often in the context of the Pew-MacArthur Results First Initiative and the Office of State Planning and Budgeting’s efforts related to EBP.

With a combination of legislative and executive efforts, Colorado has moved forward with a variety of EBP-related efforts.

- *Statute:* Current law includes a variety of requirements that specific programs be evidence-based (there are a large number of instances of “evidence-based” in the current statutes either prioritizing the use of funds for “evidence-based” programs or requiring the use of “evidence-based” programs and practices). However, only two of those statutory references include a definition of “evidence based” that would actually guide program implementation.
- *EPIC:* Created in 2009 with funding from a federal grant, the Evidence Based Practices in Implementation for Capacity (EPIC) resource center works to improve capacity in five Colorado criminal justice agencies for the implementation of evidence-based practices. In 2013, the General Assembly enacted H.B. 13-1129, placing EPIC in the Division of Criminal Justice within the Department of Public Safety. The July 2017 report states that how EPIC operates has evolved since 2009, and that “EPIC realizes it will be able to have a greater and more sustainable impact by working intensely with a handful of organizations at a time as opposed to sparsely spreading out its resources through shallow implementation efforts.” Overall the report concludes that “evidence-based practices in the criminal justice system are intended to reduce recidivism, but this can only be accomplished if the interventions are delivered as intended. By attending to organizational factors, competency, and leadership within in agency, EPIC is able to assist in creating an environment that fosters and encourages the use of evidence-based practices with fidelity.”⁴
- In 2014, the State partnered with the Pew-MacArthur Results First Initiative. Initiated as a joint effort funded by the General Assembly and the Governor’s Office of State Planning and Budgeting, the work is now conducted by the Governor’s Office of Research and Evidence-Based Policy Initiatives Team. Using the Results First framework, the team has completed program inventories in five policy areas (adult criminal justice, juvenile justice, child welfare, behavioral health, and prevention) and categorized a total of 231 programs based on the best evidence available. Using the Results First data clearinghouse, the team classified 60 programs (26 percent) as evidence-based, 44 programs (19 percent) as promising practices, and 127 programs (55 percent) as in need of additional research. Identifying expenditures devoted to each category of program (and/or the percentage of total spending that is evidence based) has proven more problematic but the Team reports that the evidence-based programs accounted for approximately \$100.4 million in expenditures over a three-year period.
- Having now completed inventories and analyses of all of the policy areas available in the Results First model, the Research and Evidence-Based Policy Team has moved beyond Results First and is expanding their efforts to additional policy areas and programs. The team is collaborating with

⁴ “Evidence-Based Practices Implementation for Capacity: 2017 Legislative Update”. Department of Public Safety, Division of Criminal Justice. Pages 10 and 11

an evidence-based policy working group including leaders from the field to expand the use of EBP in Colorado.

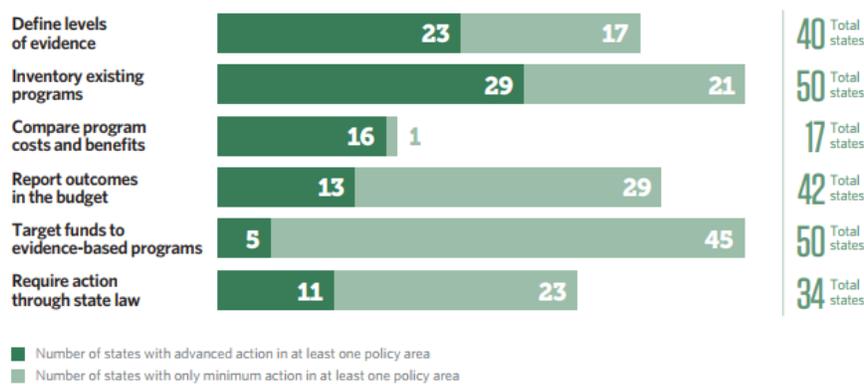
- Beginning with the FY 2017-18 budget process, OSPB has increased the use of evidence to inform executive agency budget requests by both denying agency change requests seeking to support new programs that had proven ineffective elsewhere and supporting requests for new programs that have proven effective according to the available data.
- Finally, in 2017 the Governor’s Office partnered with the Laura and John Arnold Foundation to establish the Colorado Evaluation and Action Lab at the University of Denver. Among other activities, the Lab, which is currently funded on a multi-year grant from the Laura and John Arnold Foundation, will conduct studies of Colorado programs (at the request of the Governor) to advance the use of evidence-based policy in Colorado.

For context, it is important to note that the current inventory of programs represents a very small percentage of the state budget. The 2018-19 budget request includes approximately \$17 million in decision items for evidence-based programs (including new programs and increases to existing programs) out of the total requested increase of \$1.3 billion total funds. This represents 1.4 percent of the total requested increase for FY 2018-19. Because of the limitations outlined above, EBP is unlikely to dramatically increase as a share of the overall budget, at least in the near term.

WHAT ARE OTHER STATES DOING WITH EBP?

Other states have taken a variety of measures to encourage the use of EBP, through statute, executive action, and the establishment of dedicated infrastructure to implement EBP.⁵ States have taken different approaches, from developing policies and processes to inform their decisions, to introducing legislation that provides a framework for state agencies in using EBP, to taking very few steps to integrate EBP. In the chart below, the Pew-MacArthur Results First Initiative outlines several actions to implement EBP, and how many states are engaging in those actions.

Most States Are Engaging in Evidence-Based Policymaking
 Fewer states utilize advanced forms of the six actions



Source: Pew analysis of statutes, administrative codes, executive orders, and state documents
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⁵ For a detailed discussion of other states’ actions, see the Pew Charitable Trusts January 2017 Report, How States Engage in Evidence-Based Policymaking, available at: <http://www.pewtrusts.org/en/research-and-analysis/reports/2017/01/how-states-engage-in-evidence-based-policy-making>

The states below provide illustrative examples of potential strategies. While only illustrative, these states are frequently referenced as advanced in EBP integration and demonstrate a variety of potential approaches.

Washington

Washington is typically looked at as a leader in EBP, particularly for the investment and commitment they have made to institutionalize programs dedicated to EBP. The Washington State Institute for Public Policy (WSIPP) was created by the state legislature in 1983 as a nonpartisan research organization. The research and data produced by WSIPP helped the legislature to integrate program effectiveness and results into their policymaking and budget decisions. In 2007, the Evidence-Based Practice Institute was created within the University of Washington to serve as a resource to state entities to develop evidence-based policies surrounding mental health treatment and access for children.

Mississippi

The Mississippi Legislature has codified definitions of EBP and has integrated a “research and evidence” filter into their budget process. The Mississippi statute (Section 27-103-159) enacted in 2014 includes the following definitions:

- *Evidence-based program*: a program or practice that has had multiple-site, random-controlled trials across heterogeneous populations demonstrating that the program or practice is effective for the population.
- *Research-based program*: a program or practice that has some research demonstrating effectiveness but that does not yet meet the standard of evidence-based practices.
- *Promising practice*: a practice that presents, based upon preliminary information, potential for becoming a research-based or evidence-based program or practice.

The statute also requires the Legislative Budget Office and Performance Evaluation and Expenditure Review (PEER) Committee staff to work with four agencies to create comprehensive program inventories of agency programs and activities; categorize each program based on tiers of evidence; and report expenditure, performance, and return-on-investment data.

Mississippi has also integrated EBP into the budget process. For example, budget submittal instructions include the following section, including a reference to statutory definitions:

4) Research and Evidence Filter

- a) *As defined in MISS. CODE ANN. Section 27-103-159 (1972), specify whether this program/activity is evidence based, research based, a promising practice, or none of the above.*
- b) *Explain, or provide an online link to, the relevant research supporting your answer to Question 4.a, and include a short summary of the research you explain/link to in your response. Your summary should include references to specific pages of the links, where applicable.*
- c) *If there is no existing research supporting this program/activity, describe in detail how you will evaluate your pilot program/activity with sufficient rigor to add to the research base of evidence-based or research-based programs/activities defined in MISS. CODE ANN. Section 27-103-159 (1972). If you provided an online link to support this program, answer this question as “Not Applicable.”*

New Mexico

New Mexico has integrated EBP into its budget process primarily through the New Mexico Legislative Finance Committee (LFC), the fiscal and management arm of the New Mexico Legislature, and LFC staff. In addition to the LFC's responsibilities around budgetary recommendations (similar to the JBC), the Committee has a Program Evaluation Unit (formerly the Performance Audit Unit) that reviews costs, efficiency, and effectiveness of activities of state agencies and political subdivisions. This Unit participates in Results First, in addition to other performance reports developed by staff. The LFC frequently uses cost-benefit analyses to inform annual budget recommendations it develops for legislators.

As previously stated, there are numerous approaches to integrating EBP across the country, but these states serve as examples of different options available when exploring the expansion of EBP.

WHERE SHOULD COLORADO GO FROM HERE?

If the Committee wishes to increase the role of EBP in the state budget, there are options available, depending on the Committee's specific goals. Based on our research, the staff research group offers the following illustrative options for the Committee's consideration and discussion.

- *Clarification/Definition:* If the Committee wants improved clarity regarding what it means for an agency request to be "evidence-based," then options ranging from a JBC policy to a statutory definition of evidence-based could accomplish the goal without additional investment. A variety of states have passed statutes setting a definition of "evidence-based" and/or creating tiers of programs based on evidence.
- *Ensuring Continuation of Current Efforts:* Staff notes that the State's current EBP efforts are largely driven by a team of three individuals within OSPB, with no statutory requirements to sustain those efforts. Given the inevitability of changes in administration, if the General Assembly intends to continue the current level of effort then statutory direction may be necessary.
- *Pilot Studies and Improved Evaluations:* To date, much of Colorado's efforts regarding EBP have relied upon data and evaluations from elsewhere simply because the State has generally not invested in the kind of rigorous program evaluations required by EBP. The Governor's Office is moving forward with additional evaluations, including collaborative efforts with the Colorado Evaluation and Action Lab at D.U. At present, based on the grant supporting the Lab, those evaluations must be requested by the Governor. To further test the potential utility of rigorous evaluations, the General Assembly could fund (or work with external partners to fund) a series of pilot studies to evaluate programs in Colorado. In addition, when creating new programs (for which bills sometimes require studies), the General Assembly could ensure that such evaluations provide rigorous evidence.
- *Mandating Increased Use of EBP:* Some states have mandated increased use of EBP by specific agencies through statute. For example, Oregon and Tennessee have required various state agencies to increase funding for evidence-based programs from to 75 percent of programmatic funding over a period of several years. Without investing significant resources in program evaluations, any such increases must be based on data from elsewhere (such as the Results First clearinghouse).

It is important to note that, based on the staff group's research, significantly increasing the use of EBP often requires additional funding and resources. For example, the State of New Mexico places an emphasis on EBP as part of its budget process. This requires a significant investment as the budget

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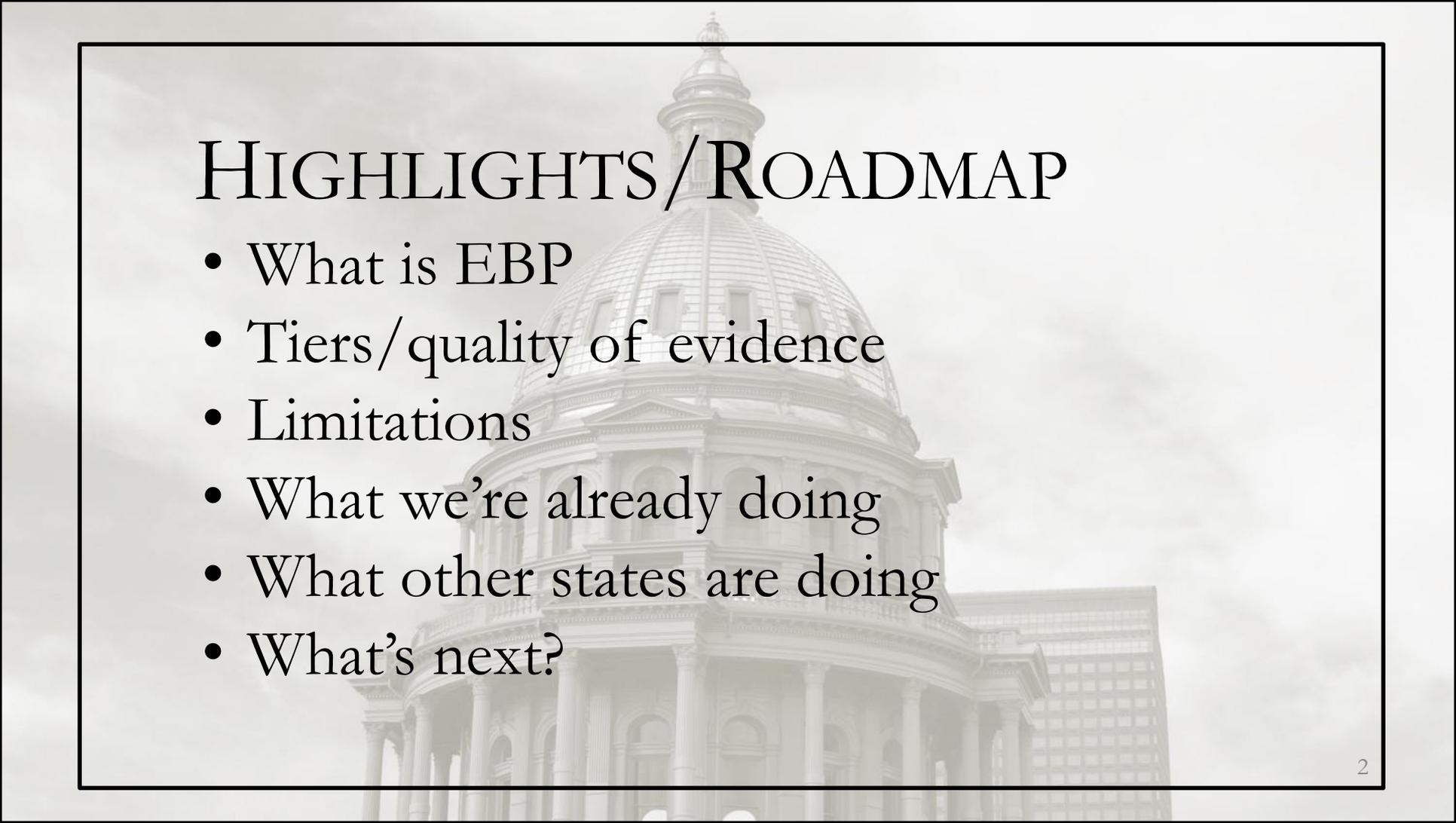
staff in New Mexico is more than twice the size of the JBC staff. This additional staff is used to evaluate whether the programs are meeting the outcome goals and the fidelity of implementation.



JBC Staff FY 2018-19 Briefing Evidence-based Policy

**Presented by:
JBC Staff
November 27, 2017**

HIGHLIGHTS / ROADMAP



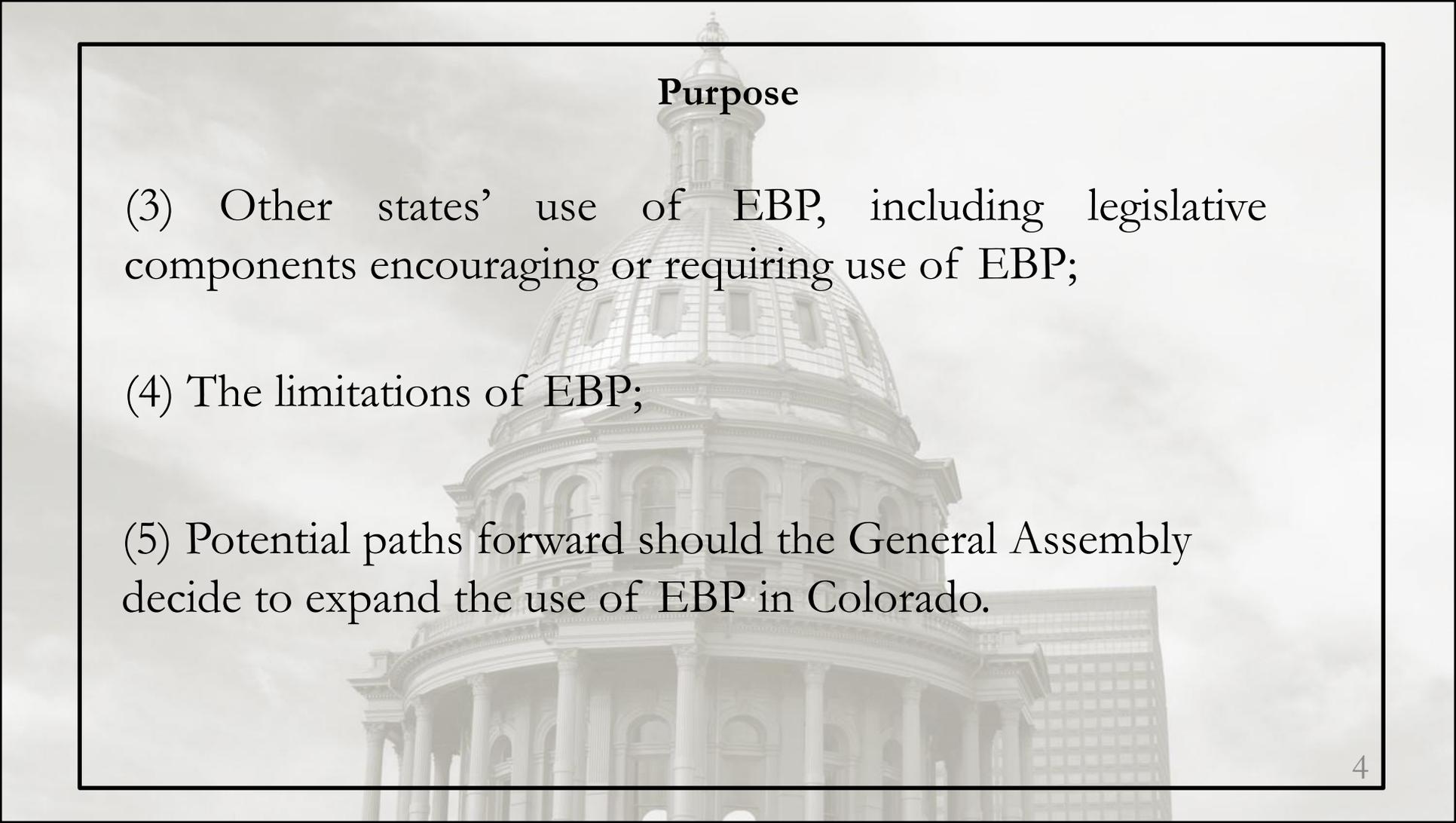
- What is EBP
- Tiers/quality of evidence
- Limitations
- What we're already doing
- What other states are doing
- What's next?

Purpose

Based on the Committee's interest, several members of the JBC Staff conducted a research project during the 2017 interim to better understand EBP.

Areas of Investigation:

- (1) EBP background, what constitutes “good” evidence, and how EBP is implemented;
- (2) The current use of EBP in Colorado, including both statutory requirements and executive branch actions;



Purpose

- (3) Other states' use of EBP, including legislative components encouraging or requiring use of EBP;
- (4) The limitations of EBP;
- (5) Potential paths forward should the General Assembly decide to expand the use of EBP in Colorado.

Take Home Message

- EBP has potential, but grows at a small scale and requires extensive financial and human resources.
- A small set of programs can see a positive impact but EBP is not applicable to large portions of the budget.
- JBC Staff research team believes EBP can be a useful tool in some areas if properly implemented, but we have reservations about EBP's ability to broadly impact state programs and the total budget, as well as the reliability/usability of available data.

Example of Evidence Based Policymaking



What Other States are Doing

Most States Are Engaging in Evidence-Based Policymaking Fewer states utilize advanced forms of the six actions



Source: Pew analysis of statutes, administrative codes, executive orders, and state documents

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**WHAT
IS
NEXT?**



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